



STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY  
GOVERNOR

EXECUTIVE OFFICE

April 23, 2018

The Honorable Michele Reagan  
Secretary of State  
1700 W. Washington, 7<sup>th</sup> Floor  
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2<sup>nd</sup> Regular Session, which I signed on April 23, 2018:

HB 2191 military families; assistance; subaccounts (Carter)  
HB 2502 traumatic event counseling; public safety (Boyer)  
SB 1200 transportation revisions (Worsley)

Sincerely,

Douglas A. Ducey  
Governor  
State of Arizona

cc: Senate Secretary  
Chief Clerk of the House of Representatives  
Arizona News Service

Senate Engrossed House Bill

**FILED**

**MICHELE REAGAN**

**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

**CHAPTER 258**  
**HOUSE BILL 2191**

AN ACT

AMENDING SECTIONS 41-608.04 AND 43-1086, ARIZONA REVISED STATUTES;  
AMENDING LAWS 2008, CHAPTER 243, SECTION 6, AS AMENDED BY LAWS 2012,  
CHAPTER 281, SECTION 2; APPROPRIATING MONIES; RELATING TO THE MILITARY  
FAMILY RELIEF FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-608.04, Arizona Revised Statutes, is amended  
3 to read:

4 41-608.04. Military family relief fund; subaccounts; advisory  
5 committees

6 A. The military family relief fund is established through  
7 December 31, ~~2018~~ 2026. The fund consists of private donations, grants,  
8 bequests and any other monies received for that purpose.

9 B. THE PRE-9/11 VETERANS SUBACCOUNT AND POST-9/11 VETERANS  
10 SUBACCOUNT OF THE MILITARY FAMILY RELIEF FUND ARE ESTABLISHED. The  
11 department shall administer the ~~fund~~ SUBACCOUNTS. On notice from the  
12 director, the state treasurer shall invest and divest monies in the ~~fund~~  
13 SUBACCOUNTS as provided by section 35-313, and monies earned from  
14 investment shall be credited to the ~~fund~~ SUBACCOUNTS. The monies in the  
15 ~~fund~~ SUBACCOUNTS are continuously appropriated to the department solely  
16 for the purposes described in this section. Any monies remaining  
17 unexpended and unencumbered on December 31, ~~2018~~ 2026 shall be transferred  
18 for deposit in the veterans' donations fund established by section 41-608.

19 ~~B.~~ C. The POST-9/11 military family relief advisory committee is  
20 established to determine appropriate uses of the monies in the ~~military~~  
21 ~~family relief fund~~ POST-9/11 VETERANS SUBACCOUNT as provided by this  
22 section. The POST-9/11 MILITARY FAMILY RELIEF advisory committee consists  
23 of the director or the director's designee and twelve additional members,  
24 including widows and widowers of military personnel who died in the line  
25 of duty, military retirees, veterans who have a service-connected  
26 disability and their family members, Arizona army and air national guard  
27 unit commanders and active and retired senior enlisted military personnel.  
28 Except for the director, the governor shall appoint the members based on  
29 recommendations by the director, the adjutant general and commanders of  
30 military bases in this state. Appointed members serve at the pleasure of  
31 the governor. The POST-9/11 MILITARY FAMILY RELIEF advisory committee  
32 shall elect a chairperson from among the appointed members.

33 ~~C.~~ D. The POST-9/11 MILITARY FAMILY RELIEF advisory committee  
34 shall:

35 1. Establish criteria for the use of monies in the ~~fund~~ POST-9/11  
36 VETERANS SUBACCOUNT.

37 2. Establish and revise as necessary the application process for  
38 financial assistance.

39 3. Review and evaluate applications.

40 4. Make other recommendations as necessary.

41 E. THE PRE-9/11 MILITARY FAMILY RELIEF ADVISORY COMMITTEE IS  
42 ESTABLISHED TO DETERMINE APPROPRIATE USES OF THE MONIES IN THE PRE-9/11  
43 VETERANS SUBACCOUNT AS PROVIDED BY THIS SECTION. THE PRE-9/11 MILITARY  
44 FAMILY RELIEF ADVISORY COMMITTEE CONSISTS OF THE DIRECTOR OR THE  
45 DIRECTOR'S DESIGNEE AND TWELVE ADDITIONAL MEMBERS, INCLUDING WIDOWS AND

1 WIDOWERS OF MILITARY PERSONNEL WHO DIED IN THE LINE OF DUTY, MILITARY  
2 RETIREES, VETERANS WHO HAVE A SERVICE-CONNECTED DISABILITY AND THEIR  
3 FAMILY MEMBERS, ARIZONA ARMY AND AIR NATIONAL GUARD UNIT COMMANDERS AND  
4 ACTIVE AND RETIRED SENIOR ENLISTED MILITARY PERSONNEL. EXCEPT FOR THE  
5 DIRECTOR, THE GOVERNOR SHALL APPOINT THE MEMBERS BASED ON RECOMMENDATIONS  
6 BY THE DIRECTOR, THE ADJUTANT GENERAL AND COMMANDERS OF MILITARY BASES IN  
7 THIS STATE. APPOINTED MEMBERS SERVE AT THE PLEASURE OF THE GOVERNOR. THE  
8 PRE-9/11 MILITARY FAMILY RELIEF ADVISORY COMMITTEE SHALL ELECT A  
9 CHAIRPERSON FROM AMONG THE APPOINTED MEMBERS.

10 F. THE PRE-9/11 MILITARY FAMILY RELIEF ADVISORY COMMITTEE SHALL:

11 1. ESTABLISH CRITERIA FOR THE USE OF MONIES IN THE PRE-9/11  
12 VETERANS SUBACCOUNT.

13 2. ESTABLISH AND REVISE AS NECESSARY THE APPLICATION PROCESS FOR  
14 FINANCIAL ASSISTANCE.

15 3. REVIEW AND EVALUATE APPLICATIONS.

16 4. MAKE OTHER RECOMMENDATIONS AS NECESSARY.

17 ~~D.~~ G. The advisory ~~committee~~ COMMITTEES may establish  
18 ~~a subcommittee~~ SUBCOMMITTEES, consisting of not more than five members of  
19 the full ~~committee~~ COMMITTEES, to recommend approval of a grant to an  
20 applicant of not more than three thousand dollars.

21 ~~E.~~ H. Notwithstanding section 38-431.03, the ~~subcommittee~~  
22 SUBCOMMITTEES may meet in executive session without advance notice. The  
23 full advisory ~~committee~~ COMMITTEES may meet in executive session, with  
24 notice pursuant to section 38-431.02, to review and evaluate applications  
25 or review recommendations of the ~~subcommittee~~ SUBCOMMITTEES. Applications  
26 for financial assistance and all committee considerations and evaluations  
27 of the applications are confidential.

28 ~~F.~~ I. The monies in the ~~fund~~ POST-9/11 VETERANS SUBACCOUNT shall  
29 be used to provide financial assistance pursuant to this subsection. The  
30 service member of an applying family must have been deceased, wounded or  
31 injured or become seriously ill after September 11, 2001, been deployed  
32 from a military base in this state, claimed this state as the service  
33 member's home of record or been a member of the Arizona national guard at  
34 the time of deployment. If discharged from military service, the service  
35 member must have been discharged under honorable conditions. The  
36 assistance shall be based on financial need up to twenty thousand dollars  
37 per family. Eligible assistance is as follows:

38 1. Widows, widowers or dependent children of service members who  
39 died in the line of duty in a combat zone or a zone where the person was  
40 receiving hazardous duty pay may apply for a stipend for living expenses  
41 for up to six months. For the purposes of the stipend, qualifying living  
42 expenses are residential mortgage, rent and utility payments and other  
43 basic living expenses. Payments with respect to any deceased person under  
44 this paragraph are limited to a total of twenty thousand dollars.



1           2. An immediate family member may apply for payment of costs of  
2 temporary residence near the medical facility where the service member or  
3 former service member is being treated, including living, travel and  
4 housing expenses. Payments may be payable in monthly installments as long  
5 as the person is hospitalized or receiving medical care or rehabilitation  
6 services as authorized by military or veterans' medical personnel.

7           3. An immediate family member, service member or former service  
8 member may apply for:

9           (a) Living expenses.

10           (b) Other appropriate expenses as determined by the POST-9/11  
11 military family relief advisory committee.

12           J. THE MONIES IN THE PRE-9/11 VETERANS SUBACCOUNT SHALL BE USED TO  
13 PROVIDE FINANCIAL ASSISTANCE PURSUANT TO THIS SUBSECTION. THE SERVICE  
14 MEMBER OF AN APPLYING FAMILY MUST HAVE BEEN DECEASED, WOUNDED OR INJURED  
15 OR BECOME SERIOUSLY ILL ON OR BEFORE SEPTEMBER 11, 2001, BEEN DEPLOYED  
16 FROM A MILITARY BASE IN THIS STATE, CLAIMED THIS STATE AS THE SERVICE  
17 MEMBER'S HOME OF RECORD OR BEEN A MEMBER OF THE ARIZONA NATIONAL GUARD AT  
18 THE TIME OF DEPLOYMENT. IF DISCHARGED FROM MILITARY SERVICE, THE SERVICE  
19 MEMBER MUST HAVE BEEN DISCHARGED UNDER HONORABLE CONDITIONS. THE  
20 ASSISTANCE SHALL BE BASED ON FINANCIAL NEED UP TO TWENTY THOUSAND DOLLARS  
21 PER FAMILY. ELIGIBLE ASSISTANCE IS AS FOLLOWS:

22           1. WIDOWS, WIDOWERS OR DEPENDENT CHILDREN OF SERVICE MEMBERS WHO  
23 DIED IN THE LINE OF DUTY IN A COMBAT ZONE OR A ZONE WHERE THE PERSON WAS  
24 RECEIVING HAZARDOUS DUTY PAY MAY APPLY FOR A STIPEND FOR LIVING EXPENSES  
25 FOR UP TO SIX MONTHS. FOR THE PURPOSES OF THE STIPEND, QUALIFYING LIVING  
26 EXPENSES ARE RESIDENTIAL MORTGAGE, RENT AND UTILITY PAYMENTS AND OTHER  
27 BASIC LIVING EXPENSES. PAYMENTS WITH RESPECT TO ANY DECEASED PERSON UNDER  
28 THIS PARAGRAPH ARE LIMITED TO A TOTAL OF TWENTY THOUSAND DOLLARS.

29           2. AN IMMEDIATE FAMILY MEMBER MAY APPLY FOR PAYMENT OF COSTS OF  
30 TEMPORARY RESIDENCE NEAR THE MEDICAL FACILITY WHERE THE SERVICE MEMBER OR  
31 FORMER SERVICE MEMBER IS BEING TREATED, INCLUDING LIVING, TRAVEL AND  
32 HOUSING EXPENSES. PAYMENTS MAY BE PAYABLE IN MONTHLY INSTALLMENTS AS LONG  
33 AS THE PERSON IS HOSPITALIZED OR RECEIVING MEDICAL CARE OR REHABILITATION  
34 SERVICES AS AUTHORIZED BY MILITARY OR VETERANS' MEDICAL PERSONNEL.

35           3. AN IMMEDIATE FAMILY MEMBER, SERVICE MEMBER OR FORMER SERVICE  
36 MEMBER MAY APPLY FOR:

37           (a) LIVING EXPENSES.

38           (b) OTHER APPROPRIATE EXPENSES AS DETERMINED BY THE PRE-9/11  
39 MILITARY FAMILY RELIEF ADVISORY COMMITTEE.

40           K. The director may allocate up to five percent of the  
41 donations received for administering the ~~fund~~ SUBACCOUNTS and the  
42 financial assistance program under this section, including the hiring of  
43 an employee to process applications and provide support to the committee.  
44 The department shall provide reasonable office space and other necessary  
45 resources for the employee.

1       ~~H.~~ L. The director shall receive private donations for deposit in  
2 the ~~fund~~ SUBACCOUNTS and issue receipts to the donors. A DONOR SHALL  
3 DESIGNATE THE SUBACCOUNT IN WHICH THE DONOR WISHES THE DONATION TO BE  
4 DEPOSITED AS FOLLOWS:

5       1. ONE HUNDRED PERCENT OF THE DONATION TO BE DEPOSITED IN THE  
6 PRE-9/11 VETERANS SUBACCOUNT.

7       2. ONE HUNDRED PERCENT OF THE DONATION TO BE DEPOSITED IN THE  
8 POST-9/11 VETERANS SUBACCOUNT.

9       3. FIFTY PERCENT OF THE DONATION TO BE DEPOSITED IN THE PRE-9/11  
10 VETERANS SUBACCOUNT AND FIFTY PERCENT OF THE DONATION TO BE DEPOSITED IN  
11 THE POST-9/11 VETERANS SUBACCOUNT.

12       M. Private donations may qualify for the purposes of income tax  
13 credits under section 43-1086. The director may receive donations in any  
14 amount, but donations that qualify for tax credits are subject to the  
15 limits prescribed by section 43-1086. Donations to the ~~fund~~ SUBACCOUNTS  
16 that otherwise qualify under the tax credit limits prescribed by section  
17 43-1086 but that exceed a combined total of one million dollars in any  
18 calendar year, on a ~~first come first served~~ FIRST-COME, FIRST-SERVED  
19 basis, do not qualify for the income tax credits. The director shall  
20 provide the taxpayer a donation receipt, which shall include the  
21 taxpayer's full name and address, the last four digits of the taxpayer's  
22 social security number and the amount of the donation. The director shall  
23 designate on the donation receipt whether the donation qualifies under the  
24 limits prescribed by this subsection and section 43-1086. The director  
25 shall send a record of receipts that qualify under this subsection to the  
26 department of revenue.

27       ~~H.~~ N. On or before March 31 of each year, the director shall  
28 provide for an audit by an independent certified public accountant of the  
29 ~~fund~~ SUBACCOUNTS and of the aggregate amount authorized by the director  
30 for income tax credits under subsection ~~H.~~ M of this section. The  
31 director shall promptly submit a certified copy of the audit to the  
32 auditor general. The auditor general may make further audits and  
33 examinations as necessary and may take appropriate action relating to the  
34 audit or examination pursuant to chapter 7, article 10.1 of this title.  
35 If the auditor general does not take further action within thirty days  
36 after the audit is filed, the audit is considered to be sufficient. The  
37 director shall pay the costs of the certified public accountant and the  
38 auditor general from the administration allocation under subsection ~~G.~~ K  
39 of this section.

40       Sec. 2. Section 43-1086, Arizona Revised Statutes, is amended to  
41 read:

42       43-1086. Credit for donation to the military family relief  
43                               fund subaccounts

44       A. For taxable years beginning from and after December 31, 2007  
45 through December 31, ~~2018~~ 2026, a credit is allowed against the taxes

1 imposed by this title for cash contributions made by a taxpayer during the  
2 taxable year to the PRE-9/11 VETERANS SUBACCOUNT OR POST-9/11 VETERANS  
3 SUBACCOUNT OF THE military family relief fund established by section  
4 41-608.04. The amount of the credit is the lowest of the following  
5 amounts, as applicable:

6 1. The total amount of contributions to the ~~fund~~ PRE-9/11 VETERANS  
7 SUBACCOUNT OR POST-9/11 VETERANS SUBACCOUNT, OR BOTH SUBACCOUNTS, by the  
8 taxpayer during the taxable year.

9 2. Two hundred dollars of contributions during the taxable year by  
10 a taxpayer filing as a single individual or a head of household.

11 3. Four hundred dollars of contributions during the taxable year by  
12 a married couple filing a joint return.

13 4. The taxpayer's tax liability for the taxable year.

14 B. A husband and wife who file separate returns for a taxable year  
15 in which they could have filed a joint return may each claim only one-half  
16 of the tax credit that would have been allowed on a joint return.

17 Sec. 3. Laws 2008, chapter 243, section 6, as amended by Laws 2012,  
18 chapter 281, section 2, is amended to read:

19 Sec. 6. Delayed repeal

20 A. Section 41-608.04, Arizona Revised Statutes, AS AMENDED BY THIS  
21 ACT, is repealed from and after December 31, ~~2018~~ 2026.

22 B. Section 43-1086, Arizona Revised Statutes, AS AMENDED BY THIS  
23 ACT, is repealed from and after December 31, ~~2018~~ 2026.

24 Sec. 4. Transfers of monies

25 All unexpended and unencumbered monies remaining in the military  
26 family relief fund established by section 41-608.04, Arizona Revised  
27 Statutes, as amended by this act, are transferred to the post-9/11  
28 veterans subaccount established by section 41-608.04, Arizona Revised  
29 Statutes, as amended by this act, on the effective date of this section.

**APPROVED BY THE GOVERNOR APRIL 23, 2018**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 2018**



Passed the House February 8, 20 18

Passed the Senate April 11, 20 18

by the following vote: 57 Ayes,

by the following vote: 30 Ayes,

0 Nays, 2 Not Voting

0 Nays, 0 Not Voting

[Signature]  
Speaker of the House

☐ Pro Tempore

[Signature]  
Chief Clerk of the House

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2191



HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 18, 2018

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

W. R. Drake  
Speaker of the House  
Jim Drake  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19<sup>th</sup> day of April, 2018

at 1:32 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 23<sup>rd</sup> day of

April, 2018,

at 12:25 o'clock P. M.

[Signature]  
Governor of Arizona

H.B. 2191

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23 day of April, 2018,

at 1:21 o'clock P. M.

[Signature]  
Secretary of State